

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOHN DURRELL HOLCOMB

Plaintiff, No. CIV S-02-2417 LKK KJM P

VS.

HIGH DESERT STATE PRISON, et al.,

Defendant. ORDER

On February 11, 2009, plaintiff filed a motion titled “motion for nunc pro-tunc hearing . . .” The court has reviewed the document in full and finds no basis for holding a hearing.

Also on February 11, 2009, plaintiff filed a motion asking that the court order that he be transferred from High Desert State Prison. The basis for plaintiff's request concerns matters not at issue in this action. Plaintiff is informed that simply because he is proceeding with a lawsuit against California Department of Corrections and Rehabilitation (CDCR) employees does not mean this action is a vehicle for seeking relief with respect to any claims plaintiff might have against the defendants in this action or other CDCR employees.

|||||

11111

1 The only issue currently before this court is whether this matter has been settled.
2 To address that question, the court has set a status conference regarding settlement for March 18,
3 2009 at 1:30 p.m. Until further notice, any further filings from plaintiff may only relate to this
4 issue. If plaintiff does not adhere to this limitation, he will be sanctioned, possibly with
5 dismissal of this action.

6 Accordingly, IT IS HEREBY ORDERED that:

7 1. Plaintiff's "motion for nunc pro-tunc hearing . . ." (#150) is denied; and
8 2. Plaintiff's motion for "temporary restraining order . . ." (#151) is denied.

9 DATED: February 23, 2009.

10 
11 _____
12 U.S. MAGISTRATE JUDGE

13 1
14 holc2417.npt

15
16
17
18
19
20
21
22
23
24
25
26